

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 15 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CALEB L. MCGILLVARY,

Plaintiff - Appellant,

v.

LAMONT DORSEY,

Defendant - Appellee.

No. 23-4041

D.C. No.

3:22-cv-05883-JNW

Western District of Washington,
Tacoma

ORDER

The motion for an extension of time to submit a completed prison authorization form (Docket Entry No. 13) is granted. The completed prison authorization form was received at Docket Entry No. 14.

Appellant **Caleb McGillvary**, prison identification number **1222665**, has been granted leave to proceed in forma pauperis in this appeal and has completed and filed the required authorization form directing the appropriate prison officials to assess, collect, and forward to the district court the filing and docketing fees for this appeal pursuant to 28 U.S.C. § 1915(b)(1) and (2). This court hereby assesses an initial filing fee of 20 percent of the greater of: (A) the average monthly deposits to the prisoner's account; or (B) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the **December 6, 2023**, notice of appeal. Appellant is not responsible for payment when the funds in appellant's prison trust account total less than \$10, but payments

must resume when additional deposits are made or funds are otherwise available.

The Clerk will serve this order and appellant's completed authorization form on the **New Jersey Department of Corrections at Whittlesey Road, PO Box 863, Trenton, NJ, 08625, Attn: PLRA Payment Processing**, who will notify the appropriate agency or prison authority responsible for calculating, collecting, and forwarding the initial payment assessed in this order and for assessing, collecting, and forwarding the remaining monthly payments of the fee to the district court for this appeal. *See* 28 U.S.C. § 1915(b)(2). Each payment should be accompanied by the district court and appellate docket numbers for this appeal and a record of previous payments made for this appeal.

The Clerk will also serve a copy of this order on the district court Clerk and the district court financial unit.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT